

## **REMARKS**

Claims 1-5 have been examined, and claims 6-15 have been withdrawn from consideration. Also, claims 1-5 have been rejected under 35 U.S.C. § 103(a).

### **I. Preliminary matters**

Applicants have canceled withdrawn claims 6-15 without prejudice or disclaimer. Also, Applicants reserve the right to file a divisional application to further prosecute the withdrawn and canceled claims.

### **II. Rejection under 35 U.S.C. § 103(a) over U.S.P. 5,742,666 to Alpert (“Alpert”), U.S.P. 5,461,664 to Cappadona (“Cappadona”), and/or U.S.P. 6,115,597 to Kroll et al. (“Kroll”)**

Claims 1-4 have been rejected under 35 U.S.C. § 103(a) over Alpert in view of Cappadona or Kroll. Applicants submit that the claims are patentable over the references.

#### **A. Claim 1**

For example, claim 1 states that a controller performs a first operation in which the controller allows information to be output from the wireless terminal to the wireless base station and in which the controller prevents information from the wireless base station from being conveyed to a user of the wireless terminal in response to the operating section being operated by the user. On the other hand, none of the references suggest the features above.

With respect to Alpert, the Examiner acknowledges that the reference does not suggest the above features of claim 1. (Office Action at page 4). Also, Applicants submit that Cappadona and Kroll do not suggest such features.

With respect to Cappadona, the switch 12 shown in Fig. 1 is an ON/OFF switch that activates the transceiver 10 when it is closed and that deactivates the transceiver 10 when it is

open. (Column 5, lines 53-56). Also, the reference expressly states that the transceiver 16 contains both a transmitter and a receiver. (Column 5, lines 9-13).

Therefore, when the switch 12 is ON and activates the transceiver 10, the transceiver 10 can transmit and receive information. Also, when the switch is OFF and de-activates the transceiver 10, the transceiver 10 cannot transmit or receive information. As a result, operating the switch does not (1) allow information to be output to a wireless base station and (2) prevent information from the wireless base station from being conveyed to a user of a wireless terminal.

With respect to Kroll, when a user activates the “911” button 16 shown in Figs. 1A, 1B, and 2, the phone 10 transmits and receives information. For example, Fig. 4 of Kroll teaches that the phone 10 has an audio controller 60 that receives audio information via the RF section 66 and antenna 68 and that outputs the audio information via the speaker 40. (Column 2, lines 52-55). Also, the audio controller 60 receives audio information from the microphone 46 and outputs the audio information via the RF section 66 and the antenna 68. (Column 2, lines 60-64).

When a user presses the “911” button 16, the antenna 14 is released to its fully extended position, and the microswitch 17 is activated. (Column 2, lines 16-18, and column 3, lines 24-26). When the microswitch 17 is activated, the device, including the audio controller 60, is activated. (Column 2, lines 56-59, and column 2, line 64, to column 3, line 1).

Thus, Kroll suggest that, when the user presses the “911” button 16, the phone 10 transmits a “911” command to a base station, and the user can both speak to an operator at the base station and hear what the operator at the base station is saying. Therefore, Kroll teaches that information is both transmitted and received when the “911” button 16 is pressed.

Accordingly, the reference does not suggest that operating the button 16 both (1) allows

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information to be output to a wireless base station and (2) prevents information from the wireless base station from being conveyed to a user of the phone 10.

In light of the discussion above, Applicants submit that claim 1 is patentable over Alpert, Cappadona, and/or Kroll.

**B. Claims 2-4**

Since claims 2-4 depend upon claim 1, Applicants submit that they are patentable at least by virtue of their dependency.

**III. Rejection under 35 U.S.C. § 103(a) over Alpert, Cappadona, Kroll, and/or U.S.P. 5,966,643 to Radley (“Radley”)**

Claim 5 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Alpert, Cappadona, and/or Kroll (as applied to claim 1) and further in view of Radley. Since claim 5 depends upon claim 1 and since Radley does not cure the deficient teachings of Alpert, Cappadona, and/or Kroll with respect to claim 1, Applicants submit that claim 5 is patentable at least by virtue of its dependency.

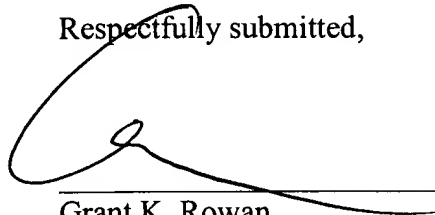
**IV. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Grant K. Rowan', written over a horizontal line.

Grant K. Rowan  
Registration No. 41,278

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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